

#### FOURTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

This FOURTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT (the "Fourth Amendment") made and entered into as of this 25th day of August, 2020, by and between the City of Panama City Commission (the "Commission"), Nevin J. Zimmerman, as the appointed City Attorney ("Zimmerman") and Burke Blue, P.A., f/n/a Burke Blue Hutchison Walters & Smith, P.A ("Burke-Blue") as the "Associated Firm" as that term is used in RFP No. PC 13-116 and the Professional Services Agreement:

WHEREAS, the parties entered into the Professional Services Agreement on April 9, 2013 as amended as specified herein (the "Agreement");

WHEREAS, the parties amended the Agreement by entering into (i) the First Amendment to Professional Services Agreement on March 11, 2014, (ii) the Second Amendment to Professional Services Agreement and the Police Services Supplement on October 24, 2017, and (iii) the Third Amendment to Professional Services Agreement on October 23, 2018;

WHEREAS, the Third Amendment to Professional Services Agreement (the "Third Amendment") provided for payment of legal services at the discounted hourly rates as determined by the Amended Rate Schedule attached as Exhibit A and approved the Hurricane Michael Special Project attached as Exhibit B;

WHEREAS, at the time the Third Amendment was approved the lump-sum retainer for the Police Services Supplement was reduced from \$7,500 per month to \$6,000 per month;

WHEREAS, there is a desire to amend the Agreement (i) to amend the Burke Blue discounted hourly rates, (ii) to continue the reduction in the Police Services Supplement and (iii) to adjust the term of the Hurricane Michael Special Project.

NOW THEREFORE, IN CONSIDERATION of the mutual covenants and agreement herein expressed, do agree as follows:

1. The discounted hourly rates in the Agreement and as amended in the Third Amendment shall be amended as provided in Exhibit A attached hereto and made a part hereof.
2. The lump-sum retainer for the Police Services Supplement shall continue at the reduced rate of \$6,000 per month.

3. The parties agree that the term for the Hurricane Michael Special Project shall be the same as the term of the Agreement and subject to termination as provided in the Agreement.

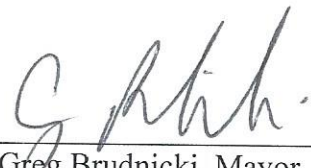
4. All provisions of the Agreement, as amended, shall remain in full force and effect unless amended by this Fourth Amendment.

IN WITNESS WHEREOF, the parties hereunto have set their hands and seals as of the date and year first above written.


ATTEST:

  
Brandy Waldron, Interim City Clerk-Treasurer


CITY OF PANAMA CITY  
CITY COMMISSION

  
Greg Brudnicki, Mayor

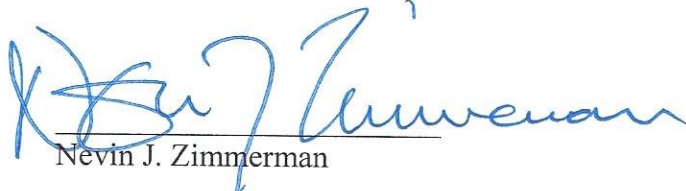
BURKE BLUE P.A.

  
Edward A. Hutchison, Jr. President

ATTEST:

  
Joy Master, Secretary

NEVIN J. ZIMMERMAN, as  
appointed City Attorney

  
Nevin J. Zimmerman

## EXHIBIT A

### AMENDED DISCOUNTED GOVERNMENT RATES FEE SCHEDULE

The Fee Schedule attached to the Agreement and as amended by the Third Amendment shall be further amended as follows:

Eric A. Krebs, M. Todd Burke, and J. Christopher Barr shall be deleted as Burke-Blue attorneys.

The following are attorneys that shall have amended hourly rates:

**Joy Marler Master - \$250 per hour**

**Natalie A. McSwane - \$225 per hour**

Clark T. Rogers - \$225 per hour

Gregory Philo- \$225 per hour

**Jessica Stewart- \$200 per hour**

**Bold** indicates attorneys primarily responsible for representation of the Commission.